

## Nixon Peabody LLP

Attorneys at Law

101 Federal Street Boston, Massachusetts 02110-1832 (617) 345-1000

Fax: (617) 345-1300

#### PRIVILEGE AND CONFIDENTIALITY NOTICE

The information in this fax is intended for the named recipients only. It contains privileged and confidential matter. If you have received this fax in error, please notify us immediately by a collect telephone call to (617) 345-1000 and return the original to the sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank you.

# **FAX**

To:	Comp	Company		Te	Telephone #:	
I) US PTO			(703) 746-9195			
?)						
3)						
1)						
5)						
INTERNATIONAL PHON	E NUMBERS MUST INCLUDE CO	UNTRY & CITY C	ODE. SEE LOCAL WHIT	TE PAGES FOR COD	ES NEEDED.	
rom: David S. Resnick Leena H. Karttunen	David S. Resnick Leena H. Karttunen  Date: August 18, 2003		No. of Pages: 5 (including this page)			
Comments:	·				. <del>-</del>	
I hereby certify that, on	CERTIFICATION ( (When using Express Mail,  Express M the date shown below, this correspond	the Express Mail lai fail certification is o	bel number ix mandatury;			
	7	TRANSMISSION				
IVI faceimile termemitted to the Pu	tent and Trademark Office, (703) 746-	. 9195	The	11-1		
Date: August 18, 2003	Em and Timemark Office, (105) 140-	71701	Signature	-19-J-		
			Mclissa Krueeel			
			MONIST POR BELOW			
F YOU DO NOT RECE! S POSSIBLE AT: (617)	ight Mail o Hand Delivery  IVE ALL OF THESE PAC  345-1246. THANK YOU	ges, please I.		FAX OPERAT	OR AS SOO	
ONFIRMATION: DATE SEN	T	TIME		BY		
NTEROFFICE TO: o Albar o North	ny o Boston o Buffalo tern Virginia o Orange County	o Garden Ci o Providenc	•	o Manchester o San Francisco	o New York City o Washington	
To:	Comp	Company		Te	elephone #:	
1) US PTO		<b>_</b> j	Fax #:			
2)			1			
<del></del>				<u> </u>		
4)						
5)						
INTERNATIONAL PHON	IE NUMBERS MUST INCLUDE CO	UNTRY & CITY C	ODE. SEE LOCAL WHI	'E PAGES FOR COD	ES NEEDED.	
				,		
From: David S. Resnick	Date: August 18, 2003	e: August 18, 2003 No. of Pa		Client/Matter:	003252-053311-0	

(including this page)

Disbursement Amount: S

User#1 7466/8859

Ext: 6057/1367

Leena H. Karttunen

#### Practitioner's Docket No. 003252-53311-C

PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eisenlohr et al.

Application No.: 10/627,588 Filed: July 25, 2003

Group No.: To be assigned Examiner: To be assigned

For:

NOVEL METHOD FOR ASSESSING RECODING IN VITRO AND IN VIVO

ATTN OF FAX NO.: 703-746-9195

### REQUEST FOR CORRECTED FILING DATE

### Dear Sirs.

- Following a phone conversation with the Office of Initial Patent Examination (OIPE) on August 18, 2003,
  Applicants respectfully request that the FILING DATE of the above-identified patent application be corrected.
  Attached is a copy of the Return Receipt Postcard which indicates an erroneous filing date for the above-referenced application for which issuance of a corrected filing date of July 25, 2003 is respectfully requested.
- 2. There is an error with respect to the filing date.
- 3. Copy of the Express Mail Label is attached herewith.
- 4. Applicants believe no fee is due. However, for any fee deficiencies associated with this filing, please charge the Nixon Peabody LLP Deposit Account No. 50-0850.

Error in

I. Filed: July 28, 2003

Date: 8/18/7003

Correct data

1. Filed: July 25, 2003

David S. Resnick (34,235)

Leena H. Karttunen (Under 37 CFR §10.9(b))

Nixon Peabody LLP 101 Federal Street Boston, MA 02110 617-345-6054

Customer No. 26248

### CERTIFICATION UNDER 37 C.F.R. §§ 1.8(g) and 1.10\*

(When using Express Mail, the Express Mail label number is mundatory;

Express Matt certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)
[ ] with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

G as "Express Mail Post Office to Addressee"

Mailing Label No.

TRANSMISSION

(mandatory)

[X] facsimile transmitted to the Patent and Trademark Office, (703) 746- 9195.

Date: August 18, 2003

Signature

\* Chily the dute of filling (\* 1.6) will be the clote mod in a potent term adjustment culculation, although the date on any certificate of mailing or transmission under \* 1.8 cuminum to be taken into account in determining ameliness. See \* 1.703(f). Consider \*Express Mull First Office to Addressee\* (\* 1.10) or fractable transmission (\* 1.6(d)) for the reply to be accorded the cartlest

possible filing date for purent term adjustment calculations.

Request for Corrected Filing Receipt—page 1 of 1

© 2003 Matthew Bender & Company, Inc., a member of the LexisNexis Group.

76

Mailing Date:

Client:

Client:

Inventore:

Serial No.:

Filing Date:

25 July 2003

Attorney/Sec:

Docket No.:

Docket No.:

Docket No.:

Docket No.:

Docket No.:

To be assigned (Cont. of 09/981,393)

Gram Date:

DSR/IK/nmg

003252-053311-C

The dating stamp of the Patent and Trademark Office bereon will be taken as the date of filing of:

1. Continuation Patent Application Transmittal (1 pg.);

Application (49 pp.): Specification - 34 pp.; Claims 3 pp.; Abstract 1 pg.;
 Figures - 8 sheets; Application Data Sheet 3 pp.;

3. Copy - Declaration - Executed by L.C. Eisenlong and M.T. Howard (2 pp.);

4. Copy - Power of Attorney Finling (18 pp.);

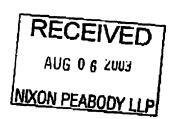
5. Copy - Petition for Extension of Time Filing in Parent ( pp.)

6. Express Mail Certificate - Label No. EL948181482 US (1 pg.); 7. Sesturn Receipt Post CArd.

8. Sequence Listing - Paper Copy - 3 pp.

Due Date:

10/627588





EXPR	ESS POS	T OFFICE	3c
UNITED STATES POSTAL SE	RVICE® TO A	DDRESSE	DELIVERY (POSTAL USE ONLY) Delivery Attempt  Mc. Day Delivery Attempt  Viene  Employee Signature  Only  Employee Signature
ORIGIN (POSTAL USE	ONLY	Flat Rate Envelope	DELIVERY (POST AL USE ONLY) Delivery Attempt: Time Employee Signature Delivery Attempt:
PO ZIP Code			Mc. Cary AM DM Employee Signature
	Next: Second	Posts@c	Delivery Attempt Time
Date in		s	Ma. Dey AM PM Employee Signature Z
Time In	12 Noon a PM	Return Rocalpt Fee	
- m	end Day 3rd Day	COD Fee Insurance Fo	Mo. Day AM. Day  AM Day  AM Day  AM Day  MANTER OF SIGNATURE (Demande Only), satisficational merchandlas-insurance in well of washing  of all graduate to recognize the following the matter without obtaining signature of addresses or  of all graduate to recognize the following signature of addresses or  subdivinuely and defense or principle of the signature of the layer;  yal delivery analogous signature commission into prior of the layer;
Weight	Int'l Alpha Country Cook	COULSE	or elgrishing to manufacture.  Bodingspeed a grant of contract wind long a fluidges or mile article cambe and in secure to secure to a secure to a secure contract and proof of delivery.
No Delivery	Acceptance Clark Initials	Total Postago & Pees	NO DELIVERY Western Holling Customs System
Detailer	1 '	\$	
CUSTOMER US ONLY	022021		Proofed Agency Acct, No. or Proving Service Acct, No.
Express well Corporate Acci, No.			TO: PLEASE PRINT) PHONE (
FROM: PLEASE PRINT) PHONE (617 345-6057			
F NIXON P	EOBODY LLP		MAIL STOP PATENT APPLICATION
101 FEDERAL ST. FL 13			COMMISSIONER FOR PATENTS
12TH & 13TH FLOORS			P.O. BOX 1450
BSTON MA 02110-1832			ALEXANDRIA, VA 22313-1450
}			ALEXA STATE OF THE PARTY OF THE
NP Ref.	No. 003252-053311-	<b>-</b> €	J
<u> </u>			
DOESS HARD	ተለው ተነሳለነው (	B TRACKING CALL	1-800-292-1811 40000000000000000000000000000000000
	State of the state of		L LEBETO DE CONTRACTO DE
	DECC		
	RESS PO	ST OFFICE	THE WALL WINDS WIN THE SEASON CONTRACT THE SEASON S
UNITED STATES POSTALS	TO	<b>ADDRESS</b>	SEE FL 140197495 02
ORIGIN (POSTAL U			
PO ZIP Code	Dey of Delivery	Flut Rate Envelops	SEE REVERSE SIDE FOR 25 7003 DE CONTROL SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERGE
07103	27/24		- S mb
Dusto Tri	<b>7</b>	Postngs	SEE REVERSE SIDE FOR 11 25
and my 184	32 Mpcm 5 59M	\$ /	SERVICE GUARANTEE AND LIMITS
	7 / Street Charle 3 and Day	Return Receipt Fee	ON INSURANCE COVERNOE
Wapht -	PM Int'l Alpha Country Code	COD File Insurance	Foo I serven or bisharture (buneric Crip) administrative indices of the Control o
lba Sea			Secretary of the secret
No Delivery	Acceptance Clerk Initials	S / C	NO DELIVERY WALKE INCh.
COSTOME! USE ONLY			
DOTES MAI GRANDS ACE, NO. 022021			Factional Agency Agent, No. or Posted Service Accept, No.
FROM: (PLEASE PRINT) PHONE: \$17   345-6057			TO: pillage prohit)
NIXON PEORODY LLP			PHONE (
101 FEDERAL ST. FL 13			
12TH & 13TH FLOORS			MIL STOP PATTENT APPLICATION
6STON MA 02110-1832			COMMISSIONER FOR PATENTS
ll potovila	M 05:10-123:	ಕ	P.O. BOX 1450

FOR PICKUP OR TRACKING CALL 1-800-222-1811 WWW.usps.com

ALEXANDRIA, VA 22313-1450